



305 West Grand Avenue, Suite 300
Montvale, New Jersey 07645
Phone 201.930.9890
Fax 201.930.9805

March 8, 2013

VIA ELECTRONIC AND U.S. MAIL

Ms. Caroline Kwan
Remedial Project Manager
Special Projects Branch
Emergency and Remedial Response Division
U.S. Environmental Protection Agency, Region 2
290 Broadway, 20th Floor
New York, New York 10007-1866

Re: Progress Report No. 20 – February 2013
Newtown Creek Remedial Investigation/Feasibility Study

Dear Ms. Kwan:

Anchor QEA is submitting this monthly progress report for the Newtown Creek Remedial Investigation/Feasibility Study (RI/FS) on behalf of the Respondents to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). As set forth in Section 42 of said Settlement Agreement, this progress report is divided into the following areas:

1. Actions taken to comply with the Settlement Agreement during the previous month
2. Results of sampling and tests and all other data received by Respondents to the Settlement Agreement during the previous month
3. Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays
4. Work planned for the next 2 months with schedules relating to the overall project schedule for RI/FS completion

www.anchorqea.com



1. Actions Taken to Comply with Settlement Agreement during Previous Month

- Responses to USEPA comments on the *Sources Evaluation Process Report* (SEPR) and Other Non-Point Sources Inventory (for *Data Applicability Report* [DAR] and non-DAR sites) were submitted to USEPA on February 6. USEPA approved these responses via e-mail on February 22.
- USEPA provided comments on the *Human Health Risk Assessment: Preliminary Exposure Pathways and Exposure Factors – Interim Report* on February 6. Responses to these comments are currently being prepared and will be discussed with USEPA in March.
- USEPA provided an oversight invoice for the period June 1, 2012, through December 31, 2012, on February 14. USEPA and the Newtown Creek Respondents agreed on a phased approach to payment for the oversight invoice, with payment of USEPA payroll costs and associated indirect costs due on or before March 15 and the remaining balance due on or before April 16.
- A project update meeting with USEPA was held in New York City on February 14. Items discussed during this meeting included the following: 1) the New York City Department of Environmental Protection (NYCDEP) combined sewer overflow (CSO) model evaluation process; 2) responses to USEPA comments on the SEPR, Other Non-Point Sources Inventory, and Uplands Data Gaps Table; and 3) preliminary post-Hurricane Sandy bathymetry analysis and proposed follow-up surface sediment sampling plan investigation update. The next update meeting is scheduled for March 21.
- Responses to USEPA comments on the Uplands Data Gaps Table were submitted to USEPA on February 15. USEPA approved these responses via e-mail on February 22.
- Validated results for split samples presented in the *Phase 1 Remedial Investigation Field Program Data Summary Report – Submittal No. 1* were provided to USEPA (through CDM Smith) on February 21. Results for remaining split samples will be provided with Data Summary Report – Submittals No. 2 and 3.
- The *FSAP Addendum No. 5 – Supplemental Surface Sediment Collection* that describes the rationale and approach for post-Hurricane Sandy surface sediment collection was submitted to USEPA on February 21. USEPA provided approval to mobilize the field crews and initiate the program on February 22 and provided

comments on the addendum on February 26. Responses to these comments were submitted to USEPA on March 8.

- USEPA provided comments on the *Airborne Thermal Infrared Remote Sensing, Newtown Creek, New York* report on February 26. Responses to these comments were submitted to USEPA on March 8.
- The following field-related activities were conducted in February:
 - Wet-weather observation surveys were conducted on February 11 and February 23.
 - The tenth round of current meter data retrieval and re-deployment was conducted on February 21 and February 22.
 - Post-Hurricane Sandy surface sediment sampling was conducted from February 25 through February 28.
- The following activities continued in February:
 - Hydrodynamic and sediment transport model development
 - Groundwater and point source evaluations
 - Screening Level Ecological Risk Assessment (SLERA) and Human Health Risk Assessment (HHRA) development
 - NYCDEP point source model evaluation
 - Data Summary Report – Submittal No. 2 development

2. Results of Sampling and Tests and Other Data Received by Respondents during Previous Month

- Final data validation and/or quality control (QC) review was completed for the 2012 Phase 1 subsurface sediment, August 2012 surface water, and August 2012 ecological surface sediment and surface water (low dissolved oxygen event) sampling events. These results are included on the enclosed compact disc (CD).

3. Encountered and Anticipated Problems and/or Delays and Solutions Developed and Implemented to Address Them

- The validity and usefulness of the data retrieved from the field weather stations and current meters during Hurricane Sandy are being assessed, and the results of this assessment will be reported once the evaluation is complete. The effects of

Hurricane Sandy on the overall project schedule are still being evaluated. Potential project schedule implications will be clearer once the results of the post-hurricane bathymetry survey and the spring 2013 surface sediment sampling are available and are assessed.

4. Work Planned for the Next 2 Months with Schedules Relating to the Overall Project Schedule for RI/FS Completion

- Project update meetings with USEPA are scheduled for March 21 and April 25.
- The following field activities are scheduled for the next 2 months:
 - Current meter data retrieval and re-deployment: Week of March 18 (final event)
 - Wet-weather observation surveys (as needed)
 - Point source reconnaissance surveys (to be scheduled)
- Efforts related to identifying data gaps to be filled as part of Phase 2 field activities will continue.

If you have any questions regarding this progress report, please do not hesitate to contact me at (201) 571-0912 (e-mail: jquadrini@anchorqea.com).

Sincerely,



Jim Quadrini, P.E., BCEE
Anchor QEA, LLC

cc: Nica Klaber, USEPA Region 2 Remedial Project Manager
Michael Mintzer, USEPA Region 2 Assistant Regional Counsel
Ian Beilby, NYSDEC, Division of Environmental Remediation
Dennis M. Reznick, Common Counsel for Newtown Creek Group Respondents
Susan Amron, Counsel for Respondent, City of New York
Edward Leonard, CDM Smith